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MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			HO, THOMAS M	
			ART UNIT	PAPER NUMBER
			2134	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/854,627

Applicant(s)

MURTO ET AL.

Examiner

Thomas M. Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 21 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-25 and 28-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-25 and 28-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/22/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. **Claims 1-8, 10-25, 28-34 are pending.**

Response to Amendments

2. Applicant's arguments have been fully considered, but are moot in view of the new grounds of rejection.

However, similar reasoning is used by the Examiner in the newly constructed new grounds of rejection. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Furthermore, Applicant's assert that adding the UDDI service to provide the advantages of the UDDI protocol is based upon the claims of the present invention. The Examiner contends that it is evident to those of ordinary skill in the art that when a new protocol is created for a specific purpose that such protocol may be used for such a purpose. It is also obvious that use of a particular protocol would require some technical apparatus to employ the particular protocol.

For example, the wikipedia recites this regarding UDDI

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UDDI

From Wikipedia, the free encyclopedia.

UDDI is an acronym for Universal Description, Discovery, and Integration – A platform-independent, XML-based registry for businesses worldwide to list themselves on the Internet. UDDI is an open industry initiative (sponsored by OASIS) enabling businesses to discover each other and define how they interact over the Internet. A UDDI business registration consists of three components:

- White Pages - address, contact, and known identifiers;
- Yellow Pages - industrial categorizations based on standard taxonomies; and
- Green Pages - technical information about services exposed by the business

UDDI is a one of the core Web Services standards. It is designed to be interrogated by SOAP messages and to provide access to WSDL documents describing the protocol bindings and message formats required to interact with the web services listed in its directory.

Because UDDI was not a product of nature, but rather a protocol created by people for the discovery of Internet businesses and services, the Examiner contends that it is obvious that the protocol may then be actually used for the purposes it was set out to do. Indeed, such usage is self-evident.

Claim Rejections - 35 USC § 112

3. Claims 8 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: the “use” of the data. While other claims recite information including information, it is evident to those of ordinary skill in the art that such information is

used in the context of the preamble of the claim, which is to “establish a geographic location.”
(for example, a map information, or GPS coordinate)

However, such a structural relationship cannot be construed with reasonable with a cellular ID associated with a wireless device. Indeed, all wireless and cellular devices “include” serial numbers. The Examiner is uncertain whether this information is simply exists, or whether it is to be used at all in the process of “establishing the geographic location.”

If indeed, the cell ID is to actually be used for the establishing the geographic location, the Examiner considers recitation of such “use” to be an essential step. An explicit indication of this would correct the deficiencies under 35 USC 112.

For purposes of examination, the Examiner has construed Applicant’s claim to mean the latter, in which the cell ID is used as an element for establishing the geographic location.

The rejection of claim 30 has been withdrawn.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1- 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen et al., US patent 6,014,090. and “UDDI Technical White paper” and Tauber et al. “Surfing the Internet with Netscape Communicator 4.”

Claims 10-25, 28-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen et al., US patent 6,014,090. and “UDDI: an XML web service” and Tauber et al. “Surfing the Internet with Netscape Communicator 4.”

In reference to claim 1:

Rosen et al. discloses a method to enable a wireless device to discover Internet businesses or services by accessing the Universal Description, Discovery, and Integration (UDDI) registry, comprising:

- Establishing a geographical location for the wireless device; (Column 3, lines 3-12)
- Appending the geographical location to a service discovery request so that responses to the query are dependent on the established geographical location, where the geographic location is appended to a request for the discovery request. (Column 4, lines 60-67)

Rosen et al. fails to explicitly disclose

- Forming a query to the UDDI registry on the wireless device;
- Caching files accessed from web sites, for selective forwarding to the user’s wireless device.

Rosen et al. (Column 5, lines 29-44) however does disclose forming requests or queries to servers.

“UDDI Technical White paper” discloses forming a query to the UDDI registry for information through the inquiry API. (Page 8, “The Inquiry API”)

“UDDI Technical White paper” discloses the UDDI protocol, a public protocol created by the joint efforts of IBM, Microsoft, and Ariba Inc. as a web service in the format of “a distributed registry of businesses implemented in a common XML format” (Page 2, Paragraph 5) which provides the groundwork and tools necessary to being able to “locate parties that can provide a specific product or service at a given price or within specific geographic boundaries in a given timeframe.” (Page 4, paragraph 5)

“UDDI Technical White paper” (page 3, figure 1) teaches that UDDI is intended to be used as a next layer over the common Internet protocols such as HTTP and TCP/IP.

Neither Rosen et al. or “UDDI Technical White paper” discloses

- Caching files accessed from web sites, for selective forwarding to the user’s wireless device.

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Tauber et al. (“Surfing the Internet with Netscape Communicator 4”, page 78) discloses a method of

- Caching files accessed from web sites, for selective forwarding to the user device, where websites are stored in a cache, and are forwarded to the user when he or she requests them.

Rosen et al. (Column 4, lines 5-17) discloses accessing Internet information from a mobile wireless device.

Tauber et al. (Introduction) teaches that “Netscape Communicator is not simply a web browser—it’s a whole suite of tools that open doors to Internet and intranet collaboration on a previously unheard of scale. Using them, you won’t just be surfing the Internet, you’ll be learning how to use the Internet to communicate and how to create you own little piece of the web.”

It would have been obvious to one of ordinary skill in the art at the time of invention to add the UDDI web service to the additional web/Internet services of the wireless device in Rosen, and use Netscape Navigator in order to provide the advantage of allowing the wireless device to “locate parties that can provide a specific product or service at a given price or within specific geographic boundaries in a given timeframe” and give the advantage of a tool that will “open

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doors to Internet and intranet collaboration on a previously unheard of scale” and to allow it’s users create their “own little piece of the web”.

In reference to claim 2:

“UDDI Technical White paper” (Page 8, “The Inquiry API”) discloses the method of claim 1, wherein the method is embodied as programmed instructions executed within the user’s wireless device to query the UDDI registry, where the inquiries are written and embodied as programmed instructions using the inquiry API (Application Programmer Interface.)

In reference to claim 3:

Rosen et al. discloses the method of claim 1, wherein the method is embodied as programmed instructions executed within a separate knowledge engine server to query the UDDI registry in response to commands from the user’s wireless device, where the separate knowledge server is the Resource server which actually first acquires the Internet information. (Column 4, lines 2-18)

In reference to claim 4:

Rosen et al. (Column 3, lines 3-12) discloses the method of claim 1, wherein establishing the geographical location of a wireless device includes a Global Positioning System (GPS) coordinate, where the GPS system is part of the mobile communication device. (Figure 1, Item 30)

In reference to claim 5:

Rosen et al. fails to explicitly disclose the method of claim 1, wherein establishing the geographical location of a wireless device utilizes Mobile-Based Enhanced Observed Time Difference.

The Examiner takes official notice that Enhanced Observed Time Difference or E-OTD was well known to those of ordinary skill in the art at the time of invention. E-OTD has an architecture associated with GSM and is known to be a mobile based method.

It would have been obvious to one of ordinary skill in the art to use E-OTD as an additional positioning mechanism to avoid using GPS satellites if they weren't available, through the use of a GSM based mechanism.

In reference to claim 6:

Rosen et al. (Column 3, lines 3-12) discloses the method of claim 1, wherein establishing the geographical location of a wireless device utilizes a gateway mobile location center, where the gateway mobile location system is the GPS satellite.

In reference to claim 7:

Rosen et al. (Column 3, lines 3-12) discloses the method of claim 1, wherein establishing the geographical location of a wireless device utilizes a gateway mobile location center, where the gateway mobile location system is the GPS satellite.

In reference to claim 8:

Rosen et al. (Figure 2, Item 200) discloses establishing the geographical location of a wireless device includes a cell ID associated with the wireless device, where cell ID is the global location identifier. The Examiner also notes that cell IDs are inherent to cell devices, as each cellular device is associated with it, a serial number. Furthermore, any network device also contains a network address which is a piece of information used in identification.

In reference to claim 9:

Rosen et al. (Column 4, lines 31-43) & (Column 4, lines 2-5) discloses the method of claim 1, wherein the server caches files accessed from web sites, for selective forwarding to the user's wireless device, where the server stores the files from the websites and later forwards the information to the wireless mobile.

In reference to claim 10:

Rosen et al. discloses a method to enable a wireless device to discover internet businesses or services by accessing the Universal Description, Discovery, and Integration (UDDI) registry, comprising:

- entering a location handle that will be associated with a geographic location of the wireless device, where the location handle can be entered through a bar code reader as the geographic location. (Column 3, lines 13-20)

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- receiving location data and linking the location data to the location handle (Column 3, lines 13-20)
- (c) entering at least one query term. (Column 5, lines 28-44) & (Column 3, lines 13-20)

Rosen et al. fails to explicitly disclose the use of UDDI and its associated XML implementation.

In particular Rosen et al. fails to disclose:

- sending a find_business XML inquiry to the UDDI registry in response to the entered query terms with appended location data.
- receiving back from the UDDI registry, a businessList message that contains a list of business names satisfying the find_business query and location data.

“UDDI: an XML web service” discloses:

- sending a find_business XML inquiry to the UDDI registry in response to the entered query terms with appended location data, where the XML inquiry is a find_business inquiry (page 1, “What XML do you Post”)
- receiving back from the UDDI registry, a businessList message that contains a list of business names satisfying the find_business query and location data. (page 1, “What do you get back”)

“UDDI: an XML web service” discloses that UDDI, the Universal Description, Discovery, and Integration Service is an online Web Service that one can use from their applications to

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dynamically discover other online services, through an XML interface. (Page 1, near the top where it says : “The Universal Description, Discovery, and Integration Service is now up and running at Microsoft, IBM, and Ariba”)

Rosen et al. (Column 4, lines 5-17) discloses accessing Internet information from a mobile wireless device.

It would have been obvious to one of ordinary skill in the art at the time of invention to add the UDDI web service to the additional web/Internet services that could be accessed from a wireless device in order to provide the advantages of the UDDI protocol.

In reference to claim 11:

“UDDI: an XML web service” discloses the method of claim 10, which further comprises:

- selecting an item from the returned businessList message, where the businesskey item is selected. (Page 2, paragraph 1)
- drilling down in the selected business’ entity data (Page 2, paragraph 1)
- sending a find_service XML inquiry to the UDDI registry (Page 2, after paragraph 1 “<find_service generic=’1.0’ xmlns...”)
- receiving back from the UDDI registry, a serviceList message that contains a list of names of services offered by the selected business in the geographical location, where the list of services is stored in the servicekey. (Page 2, after paragraph 1 “This returns the information about this service...”)

In reference to claim 12:

“UDDI: an XML web service” discloses the method of claim 11, which further comprises:

- selecting an item from the returned serviceList message, where the servicekey is selected from the servicelist. (Page 2, where it says “Then you can use the servicekey to get the details about this particular service”) Note that servicekey is an item from the servicelist in the XML that precedes it.
- drilling down in the selected service data, where the data is drilled down for even more information. (Page 2, where it says “Then you can use the servicekey to get the details about this particular service”)
- sending a *get_serviceDetail_XML* inquiry to the UDDI registry; (Page 2, The XML set of statements following the sentence “Then you can use the servicekey to get the details about this particular service”)
- receiving back from the UDDI registry, a serviceDetail message that includes binding Template data that contains the details of the selected service. (Page 2, At the bottom in the series of XML statements after “This returns the following <bindingTemplates>” where it says “<servicedetail generic=“1.0””)

In reference to claim 13:

“UDDI: an XML web service” discloses the method of claim 12, which further comprises:

Including in the bindTemplate data an accessPoint URL, which is the URL of the selected service on the website of the selected business.

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(Page 2, near the bottom where it says: “This returns the following <bindingTemplates>”, looking further down in the XML code, you can see <accessPoint URLType=”https”>https://uddi.Microsoft.com/publish</accesspoint>)

In reference to claim 14:

“UDDI: an XML web service” discloses the method of claim 13, which further comprises displaying the accessPoint URL to the user.

(Page 2, near the bottom where it says: “This returns the following <bindingTemplates>”, looking further down in the XML code, you can see <accessPoint URLType=”https”>https://uddi.Microsoft.com/publish</accesspoint>, note that this is the XML information returned to the user)

Claim 15 is rejected for the same reasons as claim 4.

Claim 16 is rejected for the same reasons as claim 5.

Claim 17 is rejected for the same reasons as claim 6.

Claim 18 is rejected for the same reasons as claim 7.

Claim 19 is rejected for the same reasons as claim 8.

In reference to claim 20:

Rosen et al. discloses the method of claim 13, which further comprises:

(a) storing the location handle in a user profile with the location data, where the location handle is stored and sent with a user profile. (Column 4, line 66 – Column 5, line 5)

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(b) providing the user with a shortcut for appending location data, in response to the users' entry of abbreviated location handle to the wireless device, where the data is appended by being directly obtained by the GPS unit and sent to the telecommunications network. (Column 4, lines 53-65)

In reference to claim 21:

Neither Rosen et al. nor "UDDI Technical White paper" explicitly disclose the method of claim 10 which further comprises pasting a user location into the at least one query term by pressing a hotkey button connected to the wireless device.

The Examiner takes official notice that pasting a user location into a query term by pressing a hot key button was well known at the time of invention.

One example is if a user were to goto www.mapquest.com or www.zip2.com, and copy and past an address into one of the web fields, using Shift+Insert.

It would have been obvious to one of ordinary skill in the art at the time of invention to press a hotkey to paste a user location into at least one query term in order to save the user the time of having to type the user location in.

In reference to claim 22:

Rosen et al. fails to disclose the method of claim 10, wherein the location data is updated in accordance with the geographic location of the wireless device.

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The Examiner takes official notice that updating location data in accordance with the location of a wireless device was well known at the time of invention.

Examples are homing beacons or devices, or the mobile unit system of US patent 5579535.

(Column 4, line 44-48)

It would have been obvious to one of ordinary skill in the art to update the location data in accordance with the geographic location of the wireless device in order to obtain information that was appropriate with user's current location.

In reference to claim 23:

Rosen et al. (Column 5, lines 28-35) discloses the method of claim 22, which further comprises storing the at least one query term and identifying the stored term with a search handle, where the query term is a geographic location stored in memory and is identified as a search handle in that localized information with respect to the geographic location is given. (Column 5, lines 36-42)

In reference to claim 24:

The method of claim 23, wherein the search handle may be replayed by the user using abbreviated terms, wherein the replay of the search handle is appended with updated geographical location data.

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The Examiner takes official notice that abbreviated terms in a search handle was well known in the art at the time of invention.

This is equivalent to a user instead of entering 123 maple street, entering in 123 Maple St.

Utilities such as mapquest, and zip.com, and yahoo maps, all allow for the common geographic indicator abbreviations.

Rosen et al. (Column 6, lines 40-45) discloses updating localized information that is time dependent to the user with a replay of a further refined search handle for more specific information.

It would have been obvious to one of ordinary skill in the art at the time of invention to replay a search handle with more abbreviated terms to provide convenience to the user, so there would be less typing to do.

In reference to claim 25:

Rosen et al. discloses a method to enable a wireless device to discover Internet businesses or services by accessing the Universal Description, Discovery and Integration (UDDI) registry, comprising:

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- entering a search handle in a wireless device that will be associated with the user's search strategy, where the search handle entered may be selections to further obtain more specific information regarding his or her search. (Column 6, lines 33-44)
- entering a location handle that will be associated with the user's location, where the location handle can be entered through a bar code reader as the geographic location. (Column 3, lines 13-20)
- transmitting the search handle, location handle and query terms to a knowledge engine server, where the knowledge engine server is the resource server and the geographic identifier and query is transmitted through the network with the query. (Column 5, lines 28-35) & (Figure 2)
- retrieving documents resulting from the search of the web sites (Column 4, lines 1-17)
- applying a location filter prescribed by the user and stored in the user's profile, to limit the returned documents to only those of particular interest or location to the user. (Column 6, lines 25-33), where the information is filtered so that only geographically localized information is provided.

Rosen et al. fail to explicitly disclose

- entering query terms in the wireless device as at least part of a business name.

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- searching websites using URLs contained in stored binding templates,
- Sorting the documents in a list having an order established in accordance with user's profile or location
- Storing the filtered documents and the sorted list in a cache for later, selective accessing by the user.

“UDDI: an XML web service” discloses

- entering query terms in the wireless device as at least part of a business name, where the query or inquiry to the UDDI registry can include a business name. (page 1, “What XML do you post”, <name>Microsoft<name>).
- searching websites using URLs contained in stored binding templates, where the websites returned in the binding templates are classified as accesspoints. (pages, 2-3, <bindingtemplates>)
- Rosen et. al. (Column 6, lines 1-44) discloses that out of a list of URLs, the user may search within these URLs to find further information regarding a business or refine the set of information already found.

“UDDI: an XML web service” discloses that UDDI, the Universal Description, Discovery, and Integration Service is an online Web Service that one can use from their applications to dynamically discover other online services, through an XML interface. (Page 1, near the top

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where it says : “The Universal Description, Discovery, and Integration Service is now up and running at Microsoft, IBM, and Ariba”)

Rosen et al. (Column 4, lines 5-17) discloses accessing Internet information from a mobile wireless device.

Tauber et al. (“Surfing the Internet with Netscape Communicator 4”, page 78, 106-107) discloses a method of

- Sorting the documents in a list having an order established in accordance with user’s profile or location, where the documents are sorted in accordance with the user’s profile of when the user visited that site, as well as by location. (pages 106-107 & Figure 4.6)
- Storing the filtered documents and the sorted list in a cache for later, selective accessing by the user, where the documents visited are grouped as a list and stored in the cache for later reaccess, when the user requests the website data later. (p. 78)

Tauber et al. (Introduction) teaches that “Netscape Communicator is not simply a web browser—it’s a whole suite of tools that open doors to Internet and intranet collaboration on a previously unheard of scale. Using them, you won’t just be surfing the Internet, you’ll be learning how to use the Internet to communicate and how to create you own little piece of the web.”

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It would have been obvious to one of ordinary skill in the art at the time of invention to add the UDDI web service to the additional web/Internet services of the wireless device in Rosen, and use Netscape Navigator in order to provide the advantage of allowing the wireless device to “locate parties that can provide a specific product or service at a given price or within specific geographic boundaries in a given timeframe” and give the advantage of a tool that will “open doors to Internet and intranet collaboration on a previously unheard of scale” and to allow it’s users create their “own little piece of the web”.

In reference to claim 26:

Rosen et al. (Column 5, line 60 – Column 6, line 5) discloses the method of claim 25, which further comprises sorting the documents in a list having an order established in accordance with user’s profile or location.

In reference to claim 27:

Rosen et al. (Column 6, lines 1-4) discloses the method of claim 26, which further comprises storing the filtered documents and the sorted list in a cache for later, selective accessing by the user, where the set of documents are filtered in accordance with the profile and those results are stored.

In reference to claim 28:

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Rosen et al. discloses the method of claim 25, which further comprises receiving the user's selection from the list (Column 6, lines 13-15) and updating the user's profile with the user's preferences or location. (Column 6, lines 33-44)

In reference to claim 29:

Rosen et al. (Column 6, lines 33-44) discloses the method of claim 28, which further comprises associating the search handle with user's selections and with the user's search strategy

- Storing that association in user's profile.
- Where the search is further refined with the user's selections, and those selections are stored in the profile.

In reference to claim 30:

Rosen (Column 5, lines 28-60) discloses the method of claim 29, which further comprises providing the user with a shortcut for accessing pages from web sites, in response to the user's entry of an abbreviated search handle to the wireless device, where a shortcut for accessing pages are hyperlinks from the webpage results given (Column 6, lines 12-20) and the results are given in response to a search handle, the geographic identifier. (Column 5, lines 35-42)

Claim 31 is rejected for the same reasons as claim 1.

Claim 32 is rejected for the same reasons as claim 10.

Claim 33 is rejected for the same reasons as claim 25.

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In reference to claim 34:

Rosen et al. discloses a system to enable a wireless device to discover Internet businesses or services by accessing the Universal Description, Discovery and Integration (UDDI) registry, comprising:

- A processor; (Figure 1, Item 111)
- A memory coupled to the processor (Figure 1, Item 112), programmed to perform the steps of:
 - Entering a location handle that will be associated with a geographic location of the wireless device (Column 3, lines 13-20), wherein the geographical location is further associated with the hotkey switch;
 - Receiving location data and linking the location data to the location handle and hotkey switch (Column 3, lines 3-13)
 - Entering at least one query term, where the entered term is the geographic location. (Column 5, lines 28-44)

The Examiner takes official notice that Hotkey switches were well known in the art at the time of invention. Examples are the hotkeys for cutting CTRL+X, and Pasting, Shift+Insert.

Associating the location with a hotkey would merely involving cutting the location information to the clipboard using a hotkey. Appending the location to a query or request would merely involve pasting the location using a hotkey. Using hotkey shortcuts for tasks, such as Alt+F4 to close windows has been disclosed in the Windows environment since its inception.

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Rosen et al. fails to explicitly disclose the use of UDDI and its associated XML implementation.

In particular Rosen et al. fails to disclose:

- sending a find_business XML inquiry to the UDDI registry in response to the entered query terms with appended location data.
- receiving back from the UDDI registry, a businessList message that contains a list of business names satisfying the find_business query and location data.

UDDI: an XML Web Services discloses:

- Sending a find_business XML inquiry to the UDDI registry in response to the entered query terms with appended location data, where the XML inquiry is a find_business inquiry (page 1, “What XML do you Post”)
- Receiving back from the UDDI registry, a businessList message that contains a list of business names satisfying the find_business query and location data. (page 1, “What do you get back”)

“UDDI: an XML web service” discloses that UDDI, the Universal Description, Discovery, and Integration Service is an online Web Service that one can use from their applications to dynamically discover other online services, through an XML interface. (Page 1, near the top where it says : “The Universal Description, Discovery, and Integration Service is now up and running at Microsoft, IBM, and Ariba”)

Rosen et al. (Column 4, lines 5-17) discloses accessing Internet information from a mobile wireless device.

It would have been obvious to one of ordinary skill in the art at the time of invention to add the UDDI web service to the additional web/Internet services that could be accessed from a wireless device in order to provide the advantages of the UDDI protocol and to allow pasting of the geographical location to the query using the hotkey switch to provide the convenience of the user cutting and pasting the geographic location info instead of having to enter it each time.

Conclusion

6. The following art not relied upon is made of record:

- Hoffman, "Netscape and the World Wide Web for Dummies", 1996, IDG Books Worldwide Inc, page 112 also disclose that Netscape uses a caching mechanism for later retrieval of files.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of the final action and the advisory action is not mailed under after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension pursuant to 37 CFR 1.136(A) will be calculated from the mailing date of the advisory action. In no event, however,

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will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally be reached on M-F from 9:30am – 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached at (571)272-3535. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-5484.

TMH

April 28th, 2005



GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100